

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A data reproduction instructing apparatus, comprising:
reproducing means for reproducing data;
detecting means for detecting at least one of a peak and a zero-cross point of organic
~~information of a predetermined period;~~ and
instructing means for outputting a signal ~~of a period corresponding to the~~
~~predetermined period~~ indicating a timing of the at least one of the peak and the zero-cross
point, for receiving a discrete input based on the ~~signal~~ timing of the at least one of the peak
and the zero-cross point, and for starting a reproduction of said data ~~based on a timing of~~
upon said discrete input.

2. (Previously Presented) The data reproduction instructing apparatus according to
claim 1, wherein said data is at least either audio data or video data.

3. (Previously Presented) The data reproduction instructing apparatus according to
claim 1, wherein said organic information is information showing at least one of a body
motion, a breath, a heartbeat, and a pulsation.

4. (Previously Presented) The data reproduction instructing apparatus according to
claim 1, wherein said instructing means includes one of an audio sound, a buzzer, a
light-emitting device, and a display.

5. (Previously Presented) The data reproduction apparatus according to claim 1,
wherein said detecting means detects a change point between an inspiratory period and an

expiratory period of a respiratory movement, and said instructing means outputs the signal when said change point is detected.

6. (Previously Presented) The data reproduction apparatus according to claim 1, wherein said detecting means detects a pulsation, and said instructing means outputs the signal based on said pulsation.

7. (Previously Presented) A data reproducing apparatus, comprising:
reproducing means for reproducing audio or video data;
means for detecting an interval of said audio or video data having a duration during which said audio or video has a low energy;
detecting means for detecting organic information; and
control means for controlling a timing to start a reproduction of said audio or video data based on said detected organic information, wherein the means for detecting delays the timing by the duration of the interval.

8. (Canceled)

9. (Previously Presented) The data reproducing apparatus according to claim 7, wherein said organic information is information showing at least one of a body motion, a breath, a heartbeat, and a pulsation.

10. (Currently Amended) The data reproducing apparatus according to claim 7, further comprising:

instructing means for outputting a ~~periodic~~ signal based on said detected organic information, and for receiving a discrete input based on the ~~periodic~~ signal, wherein said instructing means includes one of an audio sound, a buzzer, a light-emitting device, and a display.

11. (Currently Amended) The data reproducing apparatus according to claim 7, wherein said reproduced data is constructed by a plurality of data elements, and said control means controls the timing to start ~~[[the]]~~ a reproduction of each of said data elements based on said detected organic information.

12. (Previously Presented) The data reproducing apparatus according to claim 7, wherein said control means allows the reproduction to be started from an intermediate portion of said audio or video data based on said detected organic information.

13. (Previously Presented) The data reproducing apparatus according to claim 7, wherein said detecting means detects a change point between an inspiratory period and an expiratory period of a respiratory movement, and said control means allows the reproduction of said audio or video data to be started when said change point is detected.

14. (Previously Presented) The data reproducing apparatus according to claim 7, wherein said detecting means detects a pulsation, and said control means allows the reproduction of said audio or video data to be started when a maximum value of said pulsation is detected.

15. (Previously Presented) The data reproducing apparatus according to claim 7, further comprising:

storing means for storing a plurality of organic information, wherein said control means allows said audio or video data to be reproduced based on organic information selected from said plurality of organic information.

16. (Currently Amended) A data transmission instructing apparatus, comprising:

transmitting means for transmitting data;

detecting means for detecting at least one of a peak and a zero-cross point of organic information of a predetermined period; and

instructing means for outputting a signal ~~of a period corresponding to the predetermined period~~ indicating a timing of the at least one of the peak and the zero-cross point, for receiving a discrete input based on the ~~signal~~ timing of the at least one of the peak and the zero-cross point, and for starting a transmission of said data ~~based on a timing of~~ upon said discrete input.

17. (Currently Amended) A data transmitting apparatus, comprising:

transmitting means for transmitting audio or video data over a network;

detecting means for detecting ~~a start signal based on~~ at least one of a peak and a zero-cross point of organic information received over the network; ~~means for outputting a signal based on the organic information and for receiving a discrete input based on said signal~~; and

control means for controlling a transmission timing to transmit said audio or video data over said network ~~based on a timing of said discrete input~~ at a timing of the least one of the peak and the zero-cross point.

18. (Currently Amended) A data recording instructing apparatus, comprising:
recording means for recording data onto a recording medium;
detecting means for detecting at least one of a peak and a zero-cross point of organic
information ~~of a predetermined period~~; and
instructing means for outputting a signal ~~of a period corresponding to the~~
~~predetermined period~~ indicating a timing of the at least one of the peak and the zero-cross
point, for receiving a discrete input based on the signal timing of the at least one of the peak
and the zero-cross point, and for starting a recording of said data ~~based on a timing of upon~~
said discrete input.

19. (Currently Amended) A data recording apparatus, comprising:
recording means for recording audio or video data onto a recording medium;
detecting means for detecting at least one of a peak and a zero-cross point of organic
information; and
control means for controlling a timing to record said audio or video data at a timing of
the at least one of the peak and the zero-cross point ~~based on said detected organic~~
~~information and for allowing said recording means to record said detected organic~~
~~information together with said audio or video data.~~

20. (Canceled)

21. (Currently Amended) A data reproduction instructing method, comprising:
detecting at least one of a peak and a zero-cross point of organic information ~~for when~~
~~data is reproduced, the organic information being of a predetermined period;~~

outputting a signal ~~of a period corresponding to the predetermined period~~ indicating a timing of the at least one of the peak and the zero-cross point;

receiving a discrete input based on the ~~signal~~ timing of the at least one of the peak and the zero-cross point; and

starting a reproduction of said data ~~based on a timing of~~ upon said discrete input.

22. (Previously Presented) A data reproducing method, comprising:

detecting organic information for when audio or video data is reproduced;

detecting an interval of said audio or video data having a duration during which said audio or video has a low energy; and

controlling a reproduction timing to reproduce said audio or video data based on said detected organic information, the reproduction timing being delayed by the duration of the interval.

23. (Currently Amended) A data recording instructing method, comprising:

detecting at least one of a peak and a zero-cross point of organic information ~~of a predetermined period;~~

outputting a signal ~~of a period corresponding to the predetermined period~~ indicating a timing of the at least one of the peak and the zero-cross point;

receiving a discrete input based on the ~~signal~~ timing of the at least one of the peak and the zero-cross point; and

starting a recording of data ~~based on a timing of~~ upon said discrete input.

24. (Currently Amended) A data recording method, comprising:

detecting at least one of a peak and a zero-cross point of organic information; and

controlling a timing to record audio or video data at a timing of the at least one of the peak and the zero-cross point ~~based on said detected organic information; and recording said detected organic information together with said audio or video data onto a recording medium based on said timing.~~

25. (Canceled)

26. (New) The data recording apparatus according to claim 19, wherein said control means allows said recording means to record the organic information detected by said detecting means.

27. (New) The data recording method according to claim 24, wherein said detected organic information is recorded together with said audio or video data.

28. (New) The data reproduction instructing apparatus according to claim 1, wherein said organic information is a breath.